

July 7, 2004

Page 7

Serial No.: 09/927619

Confirmation No.: 5353

Applicant: PATEL et al.

Atty. Ref.: 11836.0702.NPUS00

**REMARKS:****REMARKS REGARDING CLAIMS AMENDMENTS:**

Claims 1, 14, 22, and 32 have been amended as indicated above. Specifically, each claim has been amended to specify the nature of the surfactant.

Support for the above amendments to the claims can be found in the original specification as filed.

The resubmission of the above amendments was requested in the Second Advisory Action dated June 3, 2004 and to correct the status indication on claim 4.

July 7, 2004  
Page 8

Serial No.: 09/927619  
Confirmation No.: 5353  
Applicant: PATEL et al.  
Atty. Ref.: 11836.0702.NPUS00

**IN RESPONSE TO THE ADVISORY ACTION:**

**INDICATION OF ALLOWABILITY:**

Claims 1, 4-8, and 32, were indicated as being allowable if presented in a separate, timely filed amendment in the Advisory Action mailed April 16, 2004.

In this paper the Applicant submits the necessary amendments to place the application into a condition for immediate allowance.

**CORRECTION OF CLAIM STATUS:**

The claim status indicators of claims 4 and 14 have been corrected to comply with the request by the Examiner.

**AMENDMENTS TO CLAIMS 14 & 22:**

Claims 14 & 22 have been amended to specifically recite that the biodegradable surfactant is polyglyceryl-2 diisostearate. The Examiner has previously indicated that claims directed to fluids having this formulation are allowable over the art of record. Therefore, Applicant submits that the methods of using the fluid is likewise allowable over the art of record and thus place the claims into a condition for immediate allowance.

\*\*\*\*\*

The undersigned representative authorizes the Commissioner to charge any additional fees under 37 C.F.R. 1.16 or 1.17 that may be required, or credit any overpayment, to Deposit Account No. 13-3082, Order No. PA-00107US.

In order to facilitate the resolution of any issues or questions presented by this paper, the Examiner should directly contact the undersigned by phone to further the discussion.

July 7, 2004  
Page 9

Serial No.: 09/927619  
Confirmation No.: 5353  
Applicant: PATEL et al.  
Atty. Ref.: 11836.0702.NPUS00

Respectfully submitted,



Carter J. White  
Patent Attorney  
Reg. No. 41,374

Tel. 281 561 1450  
Fax. 281 561 1452  
Email: [cjwhite@midf.com](mailto:cjwhite@midf.com)

Date: July 7, 2004